

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

PB60596USw

U.S. APPLICATION NO. (if known; see 37 CFR 1.8)

INTERNATIONAL APPLICATION NO.
PCT/EP2004/13499

INTERNATIONAL FILING DATE
November 25, 2004

PRIORITY DATE CLAIMED
November 27, 2003

TITLE OF INVENTION

1-(25,3S)-2-(3-CHLOROPHENYL)-3,5,5-TRIMETHYL-2-MORPHOLINOL FOR TREATING ANXIETY

APPLICANT(S) FOR DO/EO/US

Judith Bramel DEELEY, Philip Alan GERRARD, Elizabeth Parsons GOODALE, Susan Marie LEARNED-COUGHLIN, Malcolm Stuart NORBS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(i)). The submission must include items (5), (6), (9) and (24) indicated below.
4. The US has been avoided (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(e)(2)):
 - a. Is attached hereto (required only if not communicated by the International Bureau).
 - b. Has been communicated by the International Bureau.
 - c. Is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(e)(2)).
 - a. Is attached hereto.
 - b. Has been previously submitted under 35 U.S.C. 154(e)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(e)(3)):
 - a. Are attached hereto (required only if not communicated by the International Bureau).
 - b. Have been communicated by the International Bureau.
 - c. Have not been made; however, the time limit for making such amendments has NOT expired.
 - d. Have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(e)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(e)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(e)(6)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A FIRST preliminary amendment.
16. A SECOND or SUBSEQUENT preliminary amendment.
17. A substitute specification.
18. A power of attorney and/or change of address letter.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. Express Mail Label No.

| U.S. APPLICATION NO. (If known, see 37 CFR 1.2) _____ | INTERNATIONAL APPLICATION NO. _____ | ATTORNEY'S DOCKET NUMBER _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>22. Other items or information.</p> <p>Statement under 37 CFR 1.77(d) including Assignment and PPA <input type="checkbox"/> Copy of PCT Request <input type="checkbox"/> Copy of PCT publication coverage</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>The following fees have been submitted.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 60%;">24. <input checked="" type="checkbox"/> Basic national fee</th> <th style="text-align: right; width: 40%;">\$300</th> <th style="text-align: right;">CALCULATIONS</th> <th style="text-align: right;">PTO USE</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Examination fee (37 CFR 1.493(a)) If the written opinion prepared by IPEAUS or the international preliminary examination report prepared by IPEAUS indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . .</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$200.00</td> </tr> <tr> <td>All other situations.</td> <td style="text-align: right;">\$300</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by IPEAUS or the international preliminary examination report prepared by IPEAUS indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . .</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$400.00</td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the International Searching Authority.</td> <td style="text-align: right;">\$100</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared by an SA other than the US and provided to the previously communicated to the US by the IB.</td> <td style="text-align: right;">\$400</td> <td></td> <td></td> </tr> <tr> <td>All other situations.</td> <td style="text-align: right;">\$350</td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">TOTAL OF 24, 25 and 26 =</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$900.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in Complainant with 37 CFR 1.62(1c) or (e) or computer program setting in an electronic medium) (37 CFR 1.492(c)). This fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of extra additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>24 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td style="text-align: right;">x \$250.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td></td> </tr> <tr> <td>Total claims</td> <td>6 - 20 =</td> <td>0</td> <td style="text-align: right;">x \$50.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td style="text-align: right;">x \$200.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;">MULTIPLE DEPENDENT CLAIMS (If applicable) <input type="checkbox"/></td> <td style="text-align: right;">+ \$360.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="padding: 5px; text-align: center;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$900.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 12%. </td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">SUBTOTAL =</td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;">Processing fee of \$136.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">TOTAL NATIONAL FEE =</td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4" style="padding: 5px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td style="text-align: right;">\$ 900.00</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be</td> <td style="text-align: right;">\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be</td> <td style="text-align: right;">\$</td> </tr> </tbody></table> | | | 24. <input checked="" type="checkbox"/> Basic national fee | \$300 | CALCULATIONS | PTO USE | <input checked="" type="checkbox"/> Examination fee (37 CFR 1.493(a)) If the written opinion prepared by IPEAUS or the international preliminary examination report prepared by IPEAUS indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . | \$0 | \$ | \$200.00 | All other situations. | \$300 | | | <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by IPEAUS or the international preliminary examination report prepared by IPEAUS indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . | \$0 | \$ | \$400.00 | Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the International Searching Authority. | \$100 | | | International Search Report prepared by an SA other than the US and provided to the previously communicated to the US by the IB. | \$400 | | | All other situations. | \$350 | | | TOTAL OF 24, 25 and 26 = | | \$ | \$900.00 | <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in Complainant with 37 CFR 1.62(1c) or (e) or computer program setting in an electronic medium) (37 CFR 1.492(c)). This fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | Total Sheets | Extra Sheets | Number of extra additional 50 or fraction thereof (round up to a whole) | RATE | 24 - 100 = | 0 /50 = | 0 | x \$250.00 | \$ 0.00 | Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | Total claims | 6 - 20 = | 0 | x \$50.00 | \$ 0.00 | Independent claims | 2 - 3 = | 0 | x \$200.00 | \$ 0.00 | MULTIPLE DEPENDENT CLAIMS (If applicable) <input type="checkbox"/> | | | | + \$360.00 | \$ 0.00 | TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$900.00 | <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 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| All other situations. | \$300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| All other situations. | \$350 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Total Sheets | Extra Sheets | Number of extra additional 50 or fraction thereof (round up to a whole) | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 24 - 100 = | 0 /50 = | 0 | x \$250.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 6 - 20 = | 0 | x \$50.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 2 - 3 = | 0 | x \$200.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS (If applicable) <input type="checkbox"/> | | | | + \$360.00 | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$900.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 12%. | | | | \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | | | \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | | | | Amount to be | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Amount to be | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Under the Paperwork Reduction Act of 1996, no person is required to respond to a collection of information unless it displays a valid OMB control number.

- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 87-1392 in the amount of \$ \$996.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 87-1392. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTC-2098.

NOTE: Where an appropriate time limit under 37 CFR 1.485 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NO. 13347

Bonnie L. Deppenbrock
SIGNATURE

Bonnie L. Deppenbrock

NAME

28.289

REGISTRATION NUMBER

19 May 2006
DATE